

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

JOSEPH A. GUERRA,

Plaintiff,

v.

JUST MORTGAGE INC., et al.,

Defendants.

Case No. 2:10-CV-00029-KJD-RJJ

ORDER

Currently before the Court is Defendant Chase Home Finance, LLC's and Defendant Mortgage Electronic Registration Systems, Inc.'s (collectively, "Defendants") Motion to Strike Plaintiff's Response to Defendants' Answer to the Amended Complaint (#54), pursuant to Fed. R. Civ. P. 12(f).

On March 15, 2010, Plaintiff filed an Amended Complaint (#22) with the Court. On December 9, 2010, Defendants filed an Answer (#52) to Plaintiff's Amended Complaint. Plaintiff subsequently filed a Response (#53) to Defendants' Answer to Amended Complaint on December 16, 2010.

Under Fed. R. Civ. P. 7(a), a party may only file a response to an answer if it is so ordered by the Court. In the present case, the Court has not ordered that Plaintiff file a Response to the Answer; therefore, Plaintiff's Response to Defendants' Answer (#53) is a fugitive document and not permitted

1 under the Federal Rules of Civil Procedure. The Court has considered the Opposition (#55) and the
2 Reply (#56) and finds that, pursuant to Fed. R. Civ. P. 12(f), Plaintiff's Response to Defendants'
3 Answer (# 53) should be stricken from the record.

4 **IT IS HEREBY ORDERED** that Defendants' Motion to Strike Plaintiff's Response to
5 Defendants' Answer to the Amended Complaint (#54) is **GRANTED**.

6 DATED this 1st of June 2011.

7 

8
9 Kent J. Dawson
United States District Judge